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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/677,579 | 10/01/2003 | David Tso-Chin Ko | | 9297 |

25859 7590 04/15/2004
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EXAMINER

GILMAN, ALEXANDER

ART UNIT PAPER NUMBER

2833

DATE MAILED: 04/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|-----------|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/677,579 | KO, DAVID TSO-CHIN | |
| | Examiner | Art Unit | |
| | Alexander D Gilman | 2833 | <i>AG</i> |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/01/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Omum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 11-13 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,305,978. Although the conflicting claims are not identical, they are not patentably distinct from each other because all of the structural elements claimed in claims 11-13 of the invention are presented in claim 1 of the US 6,305,978 .

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-13 rejected under 35 U.S.C. 102(b) as being anticipated by Ko et al .

With regard to claim 11, Ko et al (US 6,305,978) disclose electrical connector assembly comprising: an elongated insulative housing (40) defining a base portion extending along a longitudinal direction thereof with a plurality of passageways therein; a plurality of signal and grounding contacts (12) disposed in the corresponding passageways, respectively; a plurality of cables (22) including inner conductors mechanically and electrically

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engaged with the corresponding signal contacts',

a grounding bar I(30) including a main portion extending along said longitudinal direction with a plurality of grounding fingers (32) extending therefrom and mechanically and electrically engaged with the corresponding grounding contacts; and

a metallic shielding (50) enclosing said housing and including mechanically and electrically engaged with the grounding bar.

With regard to claims 12-13, Ko et al disclose a grounding plate (21), wherein said grounding plate is located above the grounding bar while under the corresponding shielding.

With regard to claims 8-10, Ko et al disclose the structure which is manufactured using the steps claimed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ko et al. in view of McGaffigan et al

With regard to claim 1, Ko et al (US 6,305,978) disclose an electrical connector assembly, comprising an elongate insulative housing (40) having base portion, a plurality of passageways (415) defined in the base portion, and an insulative insert (11) in a rear end thereof;

a plurality of signal and grounding contacts (12) each comprising a mating section extending beyond the insulative insert and received into a corresponding passageway of the housing, a connecting section remained in the insert,

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a grounding bar (21) assembled in the insert, the grounding bar having a plurality of grounding fingers (32) electrically connecting with corresponding grounding contacts, and a plurality of cables (22) extending into the insulative insert and electrically soldered to the connecting sections.

Ko et al do not disclose a step section between the mating section and the connecting section and rendering the mating section higher than the connecting section.

McGaffigan et al (US 5,163,856) disclose a step section (9) between the mating section (8) and the connecting section (12) and rendering the mating section higher than the connecting section

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Ko et al contacts step section, as taught by McGaffigan et al, to prevent molten solder from wetting the mating portion.

With regard to claim 5, Ko et al when modified by McGaffigan et al disclose (Ko et al) a grounding plate (30) having a plurality of grounding fingers (32) and at least one grounding beam (31), said at least one grounding beam electrically contacting the grounding bar (21).

With regard to claim 6, Ko et al when modified by McGaffigan et al disclose (Ko et al) a shield (50) enclosing the housing.

With regard to claim 7, Ko et al when modified by McGaffigan et al disclose (Ko et al) a shield having a pair of side portions formed on a pair of lateral ends thereof, and each latch device has a spring tab (502) extending from the body portion and abutting against a corresponding side portion of the shield.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ko et al in view of a McGaffigan et al s applied to claim 1 above, and further in view of Beaman et al.

Ko et al when modified by McGaffigan et al disclose all of limitations except for cable comprising plurality of high speed wires that are differential pairs electrically soldered to corresponding signal contacts.

Beaman et al (US 6,380,485) disclose high speed wires (col. 1, lines 23-27) that are differential pairs.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Ko et al contacts step section, as taught by McGaffigan et al, to

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3. Claims 3-4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ko et al in view of a McGaffigan et al s applied to claim 1 above, and further in view of Tan et al.

Ko et al when modified by McGaffigan et al disclose all of limitations except for a pair of retention portions being formed at a pair of lateral ends of the base portion, and a pair of latch devices being pivotably mounted to the retention portions, each latch device having a latch portion for latching with a complementary connector and a tab engaging with the housing for resisting a pulling force acting on the each latch device from the complementary connector.

Tan et al (US 5,749,746) disclose disclose a pair of retention portions (25, 26) being formed at a pair of lateral ends of the base portion, and a pair of latch devices (5) being pivotably mounted to the retention portions, each latch device having a latch portion (5031) for latching with a complementary connector and a tab (501) engaging with the housing for resisting a pulling force acting on the each latch device from the complementary connector.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Ko et al - McGaffigan et al with the latch devices, to dependably connect to the counterpart connector.

4.. Claims 3-4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ko et al in view of a McGaffigan et al s applied to claim 1 above, and further in view of Jones.

Ko et al when modified by McGaffigan et al disclose all of limitations except for a pair of retention portions being formed at a pair of lateral ends of the base portion, and a pair of latch devices being pivotably mounted to the retention portions, each latch device having a latch portion for latching with a complementary connector and a tab engaging with the housing for resisting a pulling force acting on the each latch device from the complementary connector.

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Jones (US 5,775,931) discloses a pair of retention portions being formed at a pair of lateral ends of the base portion, and a pair of latch devices (38, 38) being pivotably mounted to the retention portions, each latch device having a latch portion (46) for latching with a complementary connector and a tab (42) engaging with the housing for resisting a pulling force acting on the each latch device from the complementary connector.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Ko et al - McGaffigan et al with the latch devices, as thought by Jones, to dependably connect to the counterpart connector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/30/2004



**ALEXANDER GILMAN
PRIMARY EXAMINER**